

## UNITED STATES DISTRICT COURT

for

FILED BY *[Signature]* D.C.

05 OCT -3 PM 2: 00

WESTERN DISTRICT OF TENNESSEEU.S.A. vs. DAVID WILLIAMS

Docket No.

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
2:94-cr-20225-001**Petition on Probation and Supervised Release**

**COMES NOW** NICOLE D. PETERSON, **PROBATION OFFICER OF THE COURT** presenting an official report upon the conduct and attitude of David Williams who was placed on supervision by the Honorable Jon Phipps McCalla sitting in the Court at Memphis, TN, on the 15th day of May, 1996, who fixed the period of supervision at three (3) years\*, and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

1. The defendant shall be subject to drug testing and treatment as directed by the Probation Officer.

\* On July 1, 2005, Mr. Williams began serving his term of Supervised Release in the Central District of California (Santa Fe Springs).

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

Manny Ontiveros, United States Probation Officer (CD/CA), has requested that the defendant's supervision be modified to require that the defendant reside in a community corrections center for four (4) months. This request is being made due to the fact that the defendant submitted to urinalyses on July 13 and 27, as well as on August 1, 7, 10, and 18, and September 10, 2005, which returned positive for marijuana. Additionally, Mr. Williams failed to report for drug screening on September 8, 2005. Mr. Williams signed a Probation Form 49 (Waiver of Hearing) agreeing to the addition of the requested special condition.

**PRAYING THAT THE COURT WILL ORDER** that David Williams' supervision be **MODIFIED** to include the special condition requiring that he reside in a community corrections center for four (4) months.

**ORDER OF COURT**

Considered and ordered this 3 day of Oct., 2005, and ordered filed and made a part of the records in the above case.

*[Signature]*  
United States District Judge

**RESPECTFULLY,**

*[Signature]*  
NICOLE D. PETERSON  
United States Probation Officer

Place: Memphis, Tennessee

Date: September 26, 2005

PROI 49  
(3/89)

# United States District Court

Western District of Tennessee

## Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

As a special condition of supervision, David Williams, will reside for a period of four months in a community corrections center (community corrections component), as directed by the Probation Officer, and shall observe the rules of that facility.

Further, as a special condition of supervision, David Williams, will submit to outpatient substance abuse testing not to exceed eight tests per month, as directed by the Probation Officer, pursuant to 18 USC 3583(d).

Witness

*rd Ortman*

U.S. Probation Officer

Signed

*David Williams*

Probationer or Supervised Releasee

9-22-05

Date



# Notice of Distribution

This notice confirms a copy of the document docketed as number 274 in case 2:94-CR-20225 was distributed by fax, mail, or direct printing on October 3, 2005 to the parties listed.

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Tony R. Arvin  
U.S. ATTORNEY'S OFFICE  
167 N. Main St.  
Ste. 800  
Memphis, TN 38103

Honorable Jon McCalla  
US DISTRICT COURT